

**FROM :**  
**Association for Homeschooling**  
PO Box 74904, Lynnwood Ridge,  
PRETORIA, 0040  
Tel. (082) 907 9696 / Fax. (086) 657 7216  
Email : [contact@sahomeschoolers.org](mailto:contact@sahomeschoolers.org)

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**TO :**  
**The Acting Director**  
GET Directorate : CES Systems & Resource Policy  
Gauteng Department of Education  
13<sup>th</sup> Floor, 111 Commissioner Street  
JOHANNESBURG  
Fax: (011) 355 0871  
Email: [mmulem@gpg.gov.za](mailto:mmulem@gpg.gov.za)

Dear ms. Kgare

On 13,15 and 16 September 2004, the GDE held a number of public meetings to which home schooling parents were invited. The Association for Homeschooling (AHS), which represents homeschooling parents, attended these meetings and provided inputs. During these meetings, ms. Tidimalo Nkotoe stated that stakeholders in home education would be consulted during the formulation of the guidelines for the registration of home schooled learners. Although the AHS has provided its contact details to the GDE at these meetings, the AHS has never been consulted in the 4 years during which the GDE has compiled the proposed guidelines for registration. It is therefore very difficult for the AHS to view the proposed guidelines as the outcome of a consultative process.

It also cannot view the call for comments published in the Provincial Gazette Extraordinary nr. 223 as a consultative process, due to the inadequate notice period allowed for comment and inappropriate steps taken to communicate to stakeholders. The AHS therefore wants to express its disappointment with the non-consultative process followed by the GDE to introduce administrative procedures that significantly affects the rights of its members.

The AHS would like to use this opportunity to provide the following comments on the proposed guidelines and criteria to register learners for home education:

*“The parent of a learner must : (ii) Ensure that the educator is in possession of a minimum teaching qualification ...”*

- 1) Given that there are no empirical studies that indicate that the qualifications of the parents have any influence on the performance of home learners, it is not justifiable to require that the educators of home learners should be in the possession of a teaching qualification.
- 2) Given that not all teachers at public schools are in possession of a teaching qualification, it is not reasonable to expect this from the educators of home learners.

*“The parent of a learner must : (iii) Ensure that the learner is registered and provided with a registration number prior to being educated at home.”*

- 3) Parents are in the best position to decide what is in the best interest of their children. If parents have decided that it is in the best interest to provide home education to their children, it is their constitutional duty to do this as soon as possible. The requirement that learners must be registered prior to receiving home education is therefore an infringement on the constitutional principle that the child's best interests are of paramount importance.

*“The parent of a learner must : (iv) Use the National Curriculum Statements for all Learning Areas in all Grades.”*

- 4) Every child has unique abilities and interests. Given that parents are in the best position to judge which curriculum is best suited for each child, it is not in the interest of the child that the state prescribes that the National Curriculum Statement should be used for all learning, or that parents should restrict their curriculum choices to state approved curriculum providers.
- 5) The introduction of National Curriculum Statement has changed the focus of education from the transfer of knowledge and skills to the transfer of values. This change of focus has contributed towards creating a skills shortage in South Africa. Given that there are indications that National Curriculum Statement does not transfer the knowledge and skills required by industry, it is therefore an infringement on the learner’s constitutional right to trade, occupation and profession if they cannot choose the curriculum which will enable them to gain the knowledge and skills required to exercise this right.

*“The parent of a learner must : (vi) Sign a declaration ... committing to allowing visits by the designated departmental officials ...”*

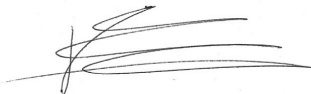
- 6) Given that the GDE has not provided any justification for home visits by departmental officials, parents cannot be expected to voluntarily sacrifice their constitutional right to privacy by signing a declaration to that regard.
- 7) Given that the GDE has not provided any objective verifiable criteria on how department officials will determine whether a home environment is conducive to teaching and learning, it is not reasonable that registration of a home learner is dependent on the subjective opinion of a department official.

*“Applicants must provide the following : (vi) A list of schools ... and reasons for not enrolling the child in the schools.”*

- 8) Given that the GDE has not provided a list of objective verifiable criteria according to which the reasons for non-enrolment in schools will be evaluated, it is not reasonable that the registration of a home learner is dependent on the subjective evaluation of the non-enrolment reasons.
- 9) Given the unsafe conditions in government schools, it is not reasonable to expect that home schooling homes should comply with criteria to which many government schools cannot comply.

With this, the Association for Home Schooling would like to urge the Gauteng Department of Education to ensure that also stakeholders are closely involved in the compiling of guidelines for registration of home learners.

Yours sincerely



Bouwe van der Eems  
(Chairman : Association for Homeschooling)